

## Agricultural Marketing Service, USDA

## § 922.10

- 922.53 Modification, suspension, or termination of regulations.  
922.54 Special purpose shipments.  
922.55 Inspection and certification.

### REPORTS

- 922.60 Reports.

### MISCELLANEOUS PROVISIONS

- 922.61 Compliance.  
922.62 Right of the Secretary.  
922.63 Effective time.  
922.64 Termination.  
922.65 Proceedings after termination.  
922.66 Effect of termination or amendment.  
922.67 Duration of immunities.  
922.68 Agents.  
922.69 Derogation.  
922.70 Personal liability.  
922.71 Separability.

### Subpart—Container Exemption; Waivers of Inspection and Certification

- 922.110 Container exemption.  
922.111 Waiver of inspection and certification.  
922.142 Reserve fund.

### Subpart—Assessment Rate

- 922.235 Assessment rate.

### Subpart—Container Regulations

- 922.306 Apricot Regulation 6.

### Subpart—Grade and Size Regulation

- 922.321 Apricot Regulation 21.

AUTHORITY: 7 U.S.C. 601–674.

### Subpart—Order Regulating Handling

SOURCE: 22 FR 3514, May 21, 1957, unless otherwise noted. Redesignated at 26 FR 12751, Dec. 30, 1961.

### DEFINITIONS

#### § 922.1 Secretary.

*Secretary* means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

#### § 922.2 Act.

*Act* means Public Act No. 10, 73d Congress (May 12, 1933), as amended and as reenacted and amended by the Agricul-

tural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U.S.C. 601 *et seq.*; 68 Stat. 906, 1047).

#### § 922.3 Person.

*Person* means an individual, partnership, corporation, association, or any other business unit.

#### § 922.4 Production area.

*Production area* means the counties of Okanogan, Chelan, Kittitas, Yakima, and Klickitat in the State of Washington and all of the counties in Washington lying east thereof.

[27 FR 5188, June 2, 1962]

#### § 922.5 Apricots.

*Apricots* means all varieties of apricots, grown in the production area, classified botanically as *Prunus armeniaca*.

#### § 922.6 Varieties.

*Varieties* means and includes all classifications or subdivisions of *Prunus armeniaca*.

#### § 922.7 Fiscal period.

*Fiscal period* is synonymous with fiscal year and means the 12-month period ending on March 31 of each year or such other period that may be approved by the Secretary pursuant to recommendations by the committee.

#### § 922.8 Committee.

*Committee* means the Washington Apricot Marketing Committee established pursuant to § 922.20.

#### § 922.9 Grade.

*Grade* means any one of the officially established grades of apricots as defined and set forth in:

(a) United States Standards for Apricots (§§ 51.2925 to 51.2932 of this title) or amendments thereto, or modifications thereof, or variations based thereon;

(b) Standards for apricots issued by the State of Washington or amendments thereto, or modifications thereof, or variations based thereon.

#### § 922.10 Size.

*Size* means the greatest diameter, measured through the center of the

## **§ 922.11**

apricot, at right angles to a line running from the stem to the blossom end, or such other specification as may be established by the committee with the approval of the Secretary.

## **§ 922.11 Grower.**

*Grower* is synonymous with producer and means any person who produces apricots for market and who has a proprietary interest therein: *Provided*, That a grower who is also a handler must have produced not less than 51 percent of the apricots handled by him during the previous season in order to qualify as a grower under §§ 922.20, 922.22, and 922.23.

## **§ 922.12 Handler.**

*Handler* is synonymous with shipper and means any person (except a common or contract carrier transporting apricots owned by another person) who handles apricots.

## **§ 922.13 Handle.**

*Handle* or *ship* means to sell, consign, deliver, or transport apricots within the production area or between the production area and any point outside thereof: *Provided*, That the term “handle” shall not include the transportation within the production area of apricots from the orchard where grown to a packing facility located within such area for preparation for market.

[27 FR 5188, June 2, 1962]

## **§ 922.14 District.**

*District* means the applicable one of the following described subdivisions of the production area, or such other subdivisions as may be prescribed pursuant to § 922.31(m):

(a) *District 1* shall include all counties within the production area not included in District 2.

(b) *District 2* shall include the Counties of Yakima, Benton, and Klickitat.

[22 FR 3514, May 21, 1957. Redesignated at 26 FR 12751, Dec. 30, 1961, and amended at 27 FR 5188, June 2, 1962]

## **§ 922.15 Export.**

*Export* means to ship apricots beyond the continental boundaries of the United States.

## **7 CFR Ch. IX (1–1–08 Edition)**

## **§ 922.16 Pack.**

*Pack* means the specific arrangement, size, weight, count, or grade of a quantity of apricots in a particular type and size of container, or any combination thereof.

## **§ 922.17 Container.**

*Container* means a box, bag, crate, lug, basket, carton, package, or any other type of receptacle used in the packaging or handling of apricots.

## **ADMINISTRATIVE BODY**

## **§ 922.20 Establishment and membership.**

There is hereby established a Washington Apricot Marketing Committee consisting of twelve members, each of whom shall have an alternate who shall have the same qualifications as the member for whom he is an alternate. Eight of the members and their respective alternates shall be growers or officers or employees of corporate growers. Four of the members and their respective alternates shall be handlers, or officers or employees of corporate handlers. The eight members of the committee who are growers or employees or officers of corporate growers are referred to in this part as “grower members” of the committee; and the four members of the committee who shall be handlers, or officers or employees of corporate handlers, are referred to in this part as “handler members” of the committee. Four of the grower members and their respective alternates shall be producers of apricots in District 1, and four of the grower members and their respective alternates shall be producers of apricots in District 2. Two of the handler members and their respective alternates shall be handlers of apricots in District 1, and two of the handler members with their respective alternates shall be handlers of apricots in District 2.

## **§ 922.21 Term of office.**

The term of office of each member and alternate member of the committee shall be for 2 years beginning April 1 and ending March 31: *Provided*, That the terms of office of one-half the initial members and alternates shall